

REMARKS

This responds to the Office Action dated July 28, 2004. Claims 1 to 14, 23 to 40, 51 and 52 are pending and claims 1, 7, 8, 12, 28 and 35 have been amended. In addition, claims 15 to 22 have been withdrawn without prejudice as directed to a non-elected group as required in a restriction requirement.

The Examiner rejected claims 1 to 13, 29 to 40 and 51 and 52 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,039,688 to Douglas et al. and U.S. Patent No. 5, 880,731 to Liles et al. The Examiner asserts that Douglas teaches a forum with an expert and funding but not the question and answer element of the forum. For the question and answer element, the Examiner relies on Liles, in which a chat room is a question and answer forum and an expert is a well known personality participating in the chat room (Liles, col. 1, ll 39 to 45).

Liles teaches two types of chat rooms. Neither type involves a question and answer forum with one or more experts. The first Liles chat room is described as “enabling several users of an on-line service to interact” (col. 1, lines 23 to 25). Thus, an internet forum replaces other communication mediums, such as a telephone or physical company, in which a group of people can communicate. In this type of chat room, there are no experts since each user is equivalent to every other user in being able to ask and answer questions. This is in contrast to the term “expert” as recited in the pending claims and defined in the pending specification as follows: “users can visit a web site to have their... questions answered by doctors or other experts in the field” (page 8, lines 28 to 29), “[e]xperts 108 may be one or more doctors or other medical professionals who specialize in particular medical fields of interest” (page 22). In addition, in Figures 3 and 4 of the specification, the experts are referenced as follows: “[l]earn more from America’s leading experts and columnists...” and “[f]rom the beginning..., these specialists have worked extensively with... patients... [w]e invite you to draw on their exceptional expertise...” In contrast, in the first type of Liles chat room, there is no user who is presented to the other users as having the sponsorship of the web site to answer questions.

The second Liles chat room involves a well known personality presented in the chat room (col. 1, lines 39 to 45). However, in contrast to providing a forum in which users can present the expert with questions, only the Liles host and well-known personality are “active in the chat sessions” (col. 1, lines 40 to 41). Indeed, according to Liles, “all others,” i.e., users “are simply observers...” (col. 1, l. 42). In this Liles chat room, an individual is presented as being available to answer questions. However, there are no users who present questions during the forum. Rather, only the host can interact with the expert. In addition, the host is not a user as recited in the pending claims and defined in the specification, as follows: “users can visit a web site to have their... questions answered by doctors and other experts in the field” (col. 8, lines 28 to 29) and “users 102 may be members of the public who may access the fora provided by network site 114 over the Internet in order to receive medical advice pertaining to a medical condition” (page 21, lines 2 to 4). It is clear from these citations and the descriptions of users throughout the specification that the user does not have an official relationship with the forum but is rather an individual who accesses the web site and forum. Rather, the Liles host is a person who acts in an official capacity for the chat room, has a formal relationship with the well-known personality and who accesses the chat room in a different status than the users. Also, the host does not access the chat room as a user.

The second type of Liles chat room therefore teaches away from the provision of a communication forum whereby users can interact with an expert to present questions for the expert to answer. In addition, the fact that Liles teaches that “provision may be made to enable questions previously submitted by the observers to be displayed to solicit a response from the guest” (col. 1, lines 42 to 45) does not change this result because the users cannot interact with the expert during the forum, hence the term “observers” in Liles (col. 1, lines 42 to 45). Rather, control is removed from the user asking initial and follow-up questions during the forum in favor of the host. In this case, the users questions become merely notes that the host may or may not wish to present. Indeed, Liles provides that “the host controls the chat session” (col. 1, line 45). And, as described above, the host is not a user as defined in the pending specification and recited in the pending claims. The Liles observers are therefore prohibited from interacting with the expert during the forum, e.g., presenting a question at the appropriate time during the chat session or based on a comment of the

expert, or asking follow-up question. Therefore, the absence of interaction between the Liles well-known personality and observers during the chat session teaches away from the presentation of questions to the experts by users during the forum, as recited in the pending claims.

Applicant has amended several claims to clarify this distinction between the cited prior art and the pending claims. More particularly, claims 1, 7, 8, 12 and 28 have been amended to recite that questions are generated by a user during the forum and provided to the expert. Support for this amendment is found in the specification as originally filed, page 11, lines 6 to 29. Since the cited prior art does not teach at least this amended element of the pending independent claims 1, 7, 8, 12 and 28 (and likewise the claims which depend from them 2 to 6, 9 to 11, 13 to 14 and 23 to 27), applicant respectfully requests that the 103(a) rejections of those claims be withdrawn and that they be passed to issue.

The Examiner rejected independent claims 29 and 35 (and likewise claims 30 to 35, 36 to 40 and 51 and 52 which depend from them) under Douglas and Liles by asserting that Douglas teaches two different network sites within the system in Figs. 14 and 15. However, the phrase “network sites” as recited in the pending claims are remote from one another. Fig. 20 and the accompanying text of the specification as filed makes this clear because none of the network sites (e.g., Fig. 20, sites 1805, 1810, 1820, 1835 etc.) are accessed based on the user entering another network site. In contrast, the Douglas “network sites” are merely two web pages within the same system and the Fig. 15 web page can be accessed through the Fig. 14 network site. In addition, claim 29 recites having a topic simultaneously on the network sites. The Douglas Fig. 15 network site is merely a more private chat room than the Fig. 14 chat room. There is no teaching of a formal topic presented simultaneously in both Figs. 14 and 15 network sites. Moreover, claim 35 recites that receiving a response from the expert and a command signal as to which forum to post the answer, and posting the response on a selective basis on the network sites. The Douglas Figs. 14 and 15 network sites do not involve simultaneous postings of answers or a mechanism by which an expert can select the forum to which to post. Therefore, none of the cited prior art references teaches at least two elements of the independent claims 29 and 35 and the claims which depend

from them. Accordingly, applicant respectfully asserts that the 103(a) rejection has been overcome and that claims 29 40 and 41 to 52 be allowed and passed to issue.

In view of the above amendment, applicant believes the pending application is in condition for allowance and respectfully requests that the pending claims be passed to issue.

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Respectfully submitted,

By Cheryl Bab
Cheryl Milone Bab

Cheryl Milone Bab

Registration No.: 43,480

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Attorneys/Agents For Applicant